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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,018	04/22/2002	Karen Briley-Saebo	NIDN-10427	3572
36335	7590	01/30/2006	EXAMINER	
AMERSHAM HEALTH IP DEPARTMENT 101 CARNEGIE CENTER PRINCETON, NJ 08540-6231			SMITH, RUTH S	
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/018,018
Filing Date: April 22, 2002
Appellant(s): BRILEY-SAEBO ET AL.

MAILED
JAN 30 2006
Group 3700

Amersham Health, Inc.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 7, 2005 appealing from the Office action mailed April 1, 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

A substantially correct copy of appealed claims 14-25 appears on pages 9-10 of the Appendix to the appellant's brief. The minor errors are as follows: In claim 20, line 1 applicant has corrected a typographical error that was present in the previous version of claim 20 by changing its dependency from cancelled claim 13 to claim 14. Such an amendment was previously done to claims 21,22,25 in the amendment filed February 28, 2005 and the final rejection of claim 20 was based upon the examiner's

interpretation that claim 20 should depend from the only independent claim (claim 14) present in the application.

(8) Evidence Relied Upon

5,810,728	KUHN	9-1998
WO 97/25073	GUNTHER et al	7-1997

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 14-15,25 have been rejected under 35 U.S.C. 102(b) as being anticipated by Kuhn. The claims are directly readable on Kuhn which discloses MR imaging whereby a catheter filled with a blood pool contrast agent (column 6, lines 20-35) is placed into the vasculature of a patient and an MR image of at least a part of the body containing the catheter is generated. Furthermore, column 10, lines 29-33 set forth that the contrast agent can be injected from the catheter into the surrounding vasculature, e.g. the coronary arteries when then can be imaged using MRI in a known manner. With respect to claim 25, this limitation is inherent in the method disclosed.

Claims 16-24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Kuhn in view of Gunther et al. Kuhn discloses MR imaging whereby a catheter filled with a blood pool contrast agent (column 6, lines 20-35) is placed into the vasculature of a patient and an MR image of at least a part of the body containing the catheter is generated. Kuhn fails to specifically disclose the blood pool contrast agents used. Gunther et al disclose MR blood pool contrast agents. The contrast agents are as set forth in claims 16-19. It would have been obvious to one skilled in the art to have modified Kuhn such that the blood pool contrast agents used are those disclosed by Gunther et al. Such a modification merely involves the selection of a known type of blood pool contrast agent for those used in the method of Kuhn. With respect to claims

20-24, Gunther et al discloses the use of these materials and positive and negative contrast agents which use differences in T1 and T2 as set forth. Furthermore, the use of the contrast agents of Gunther et al would inherently result in the limitations set forth.

(10) Response to Argument

It is respectfully submitted that the claims fail to positively set forth that the signals arising from the contrast agent in the blood that surrounds the catheter are used to visualize the catheter on the MR image.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



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